

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Penezina et al.

U.S.S.N.: Not Yet Assigned

EXAMINER: Not Yet Assigned

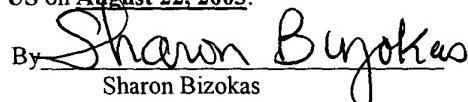
FILED: Herewith

GROUP: Not Yet Assigned

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**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to MAIL STOP Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and designated by the "Express Mail" mailing label No. EV 342 588 912 US on August 22, 2003.

By   
Sharon Bizokas

MAIL STOP: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. \_\_\_\_\_ Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. \_\_\_\_\_ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. The following references were submitted to, and/or cited by, the Office in the prior application (s) and, therefore, are not required to be provided in this application.

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a.  Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. \_\_\_\_\_ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- Please refer to accompanying discussion of relevance provided by the individual most knowledgeable about the contents of the two Japanese laid-open applications.
- c. \_\_\_\_\_ The following additional information is provided for the Examiner's consideration:

No copies of references have been provided, because all cited references are U.S. Patents

**FEES**

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)  
(check one box)

- a.  within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.
- b. \_\_\_\_\_ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.

c.  Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):**  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a.  No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).  
or  
b.  See the certification below. No fee is required.

VI. **STATEMENT UNDER 37 C.F.R. § 1.97(e)** (check only one box)

The undersigned hereby states that

- a.  each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b.  no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c.        Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

       Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X        No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. **04-1105**.

Respectfully submitted,



Date: August 22, 2003

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FORM PTO-1449

## INFORMATION DISCLOSURE STATEMENT

ATTY DOCKET NO. 45858/57315	SERIAL NO. Not yet assigned
APPLICANT(S): Penezina et al.	
FILING DATE: Herewith	ART UNIT: Not yet assigned

## UNITED STATES PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPR
	AA	4,917,793	4/17/90	Pitt et al.	210	94	12/4/86
	AB	4,973,493	11/27/90	Guire	427	2	10/15/87
	AC	4,979,959	12/25/90	Guire	623	66	5/5/89
	AD	5,002,582	3/26/91	Guire et al.	623	66	12/8/89
	AE	5,079,272	1/7/92	Allegrezza, Jr. et al.	521	134	11/30/89
	AF	5,158,721	10/27/92	Allegrezza, Jr. et al.	264	22	9/6/91
	AG	5,217,492	6/8/93	Guire et al.	623	11	4/3/91
	AH	5,258,041	11/2/93	Guire et al.	623	66	3/19/91
	AI	5,263,992	11/23/93	Guire	623	66	10/24/91
	AJ	5,414,075	5/9/95	Swan et al.	568	333	11/6/92
	AK	5,468,390	11/21/95	Crivello et al.	210	490	12/22/93
	AL	5,512,329	4/30/96	Guire et al.	427	508	12/27/93
	AM	5,563,056	10/8/96	Swan et al.	435	180	2/27/95
	AN	5,637,460	6/10/97	Swan et al.	435	6	11/23/94
	AO	5,714,360	2/3/98	Swan et al.	435	174	11/3/95

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN YES/NO

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

Examiner:	Date: